

HOUSE BILL REPORT

HB 1363

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to candidate filing.

Brief Description: Modifying provisions relating to candidate filing.

Sponsors: Representatives Hunt, Armstrong, Newhouse, Alexander and Appleton; by request of Secretary of State.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/27/09, 2/5/09 [DPS].

Brief Summary of Substitute Bill

- Eliminates the option to file declaration of candidacy with the Secretary of State for candidates for single-county offices.
- Eliminates the filing fee requirement for declarations of candidacy for precinct committee officers.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst, Miloscia and Newhouse.

Staff: Tracey O'Brien (786-7196)

Background:

In order to initiate a candidacy for office, one must file a declaration of candidacy. Historically, candidates for a single-county office filed with the county auditor and candidates for multi-county office filed with the Secretary of State (SOS). In 2005 the Legislature enacted legislation that allows candidates for single-county offices to have the option of filing either with the county auditor or the SOS. This option exists for candidates for over 250 offices.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill:

The option for single-county candidates to file a declaration of candidacy with the SOS is eliminated. The corresponding fee provisions are updated to reflect that fees for offices that include only a single county shall be paid to the county auditor. Filing fees for statewide office and for multi-county offices shall be paid to the SOS.

The \$1 filing fee required to be filed with a declaration of candidacy for precinct committee officer (PCO) is eliminated.

Substitute Bill Compared to Original Bill:

The substitute bill clarifies that candidates for the U.S. Senate and U.S. House of Representatives pay the filing fee to the SOS. In addition, the substitute bill eliminates an additional statutory reference to the \$1 filing fee for PCOs.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill returns the filing locations to historical practice. The current system is problematic as candidates cannot be certain who filed against them. This impacted over 380 candidates in 2008. It also creates an increased risk of error. In addition, the bill repeals the \$1 filing fee for PCO filings to make it consistent with other offices compensation on a per diem or per-meeting basis. Those offices do not have to pay a filing fee. The processing costs incurred by the counties for this \$1 fee can be more than the fee for some counties.

(Opposed) None.

Persons Testifying: Katie Blinn, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.